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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION  
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12 EDWARD PENA, individually and on  
behalf of others similarly situated,

13 Plaintiff,

14 v.

15 INTERNATIONAL MEDICAL  
16 DEVICES, INC., MENOVA  
INTERNATIONAL INC., GESIVA  
17 MEDICAL, LLC, JAMES J. ELIST  
M.D., a Medical Corporation, and Dr.  
18 James ELIST,

19 Defendants.  
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Case No. 2:22-cv-03391-SSS (RAOx)

Mag. Judge: Hon. Rosella A. Oliver

**DISCOVERY MATTER**

**(PROPOSED) ORDER GRANTING  
STIPULATION TO CONTINUE  
HEARING DATE OF PLAINTIFF'S  
MOTION TO COMPEL**

21 On October 4, 2023, Plaintiff filed a Notice of Motion and Motion to Compel  
22 noticing a hearing date of October 25, 2023, in connection with the Joint Stipulation  
23 Re: Discovery Dispute. *See* ECF Nos. 83, 84. On October 9, 2023, the Parties filed a  
24 Stipulation to Continue Hearing Date of Plaintiff's Motion to Compel, seeking to  
25 continue the October 25, 2023 hearing date to November 1, 2023.  
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1 The Court, having considered the Parties' Stipulation and finding good cause,  
2 hereby GRANTS the Stipulation and ORDERS as follows:

3 Plaintiff's Motion to Compel hearing date shall be continued to November 1,  
4 2023, at 10:00 a.m. in Courtroom 590.

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6 IT IS SO ORDERED.

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8 Dated:

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10 ROZELLA A. OLIVER  
11 United State Magistrate Judge  
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**PROOF OF SERVICE**

I am over the age of 18 years and not a party to the within action. I am employed in the County of Orange, State of California. My business address is Jamboree Center, 5 Park Plaza, Suite 1600, Irvine, California 92614. On the date shown below, I served the following documents:

**(PROPOSED) ORDER GRANTING STIPULATION TO CONTINUE  
HEARING DATE OF PLAINTIFF'S MOTION TO COMPEL**

on the interested parties named herein and in the manner indicated below:

Michael A. Caddell  
mac@caddellchapman.com  
Cynthia B. Chapman  
cbc@caddellchapman.com  
Amy E. Tabor  
aet@caddellchapman.com  
CADDELL & CHAPMAN  
P.O. Box 1311  
Monterey CA 93942  
Tel.: (713) 751-0400  
Fax: (713) 751-0906  
Attorneys for Plaintiffs

- ☐ **FIRST CLASS U.S. MAIL:** I am readily familiar with this business' practice for collecting and processing correspondence for mailing. Under that practice, correspondence is placed for collection and mailing in a sealed envelope with postage fully prepaid and deposited with the United States Postal Service on that same day in the ordinary course of business.
- ☒ **(ELECTRONIC FILING)** I provided the document(s) listed above electronically through the CM/ECF Electronic Filing system pursuant to the instructions set forth in the Local Rules for the United States District Court, Central District of California.
- ☐ **(E-MAIL OR ELECTRONIC TRANSMISSION)** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address(es) listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on October 9, 2023, at Irvine, California.

By: /s/ Mayela C. Montenegro-Urch  
Mayela C. Montenegro-Urch